UNITED
NATIONS

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Economic and Social Council

Distr.
GENERAL

E/1990/19
1 February 1990

ORIGINAL: ENGLISH

Organizational session for 1990
6-9 February 1990
Item 2 of the provisional agenda*

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

Letter dated 1 February 1990 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

With reference to the ongoing discussions on the organization of the work of the next session of the Economic and Social Council I have the honour to bring to your attention the following matter.

As was expressed by the Swedish Minister for Disabled People, Mr. Bengt Lindqvist, in his statement before the Third Committee on 24 October 1989, the Swedish Government suggests that further efforts be made within the United Nations system to ensure the implementation of the commitments undertaken by the international community through existing United Nations declarations and decisions to create equal possibilities and rights for disabled people. The aim would be to establish an international convention on the rights of disabled people, the purpose of which shall be to ensure the practical implementation of the existing international norms on human rights with regard to disabled people. The Swedish Government wishes to propose that by decision of the Economic and Social Council a working group be established to discuss this matter.

With reference to rule 12 of the rules of procedure of the Economic and Social Council, the Swedish Government proposes that the question of establishing a working group to study the question be discussed during the next session of the Economic and Social Council as a matter under the agenda item entitled "Social development".

(Signed) Jan ELIASSON
Ambassador
Permanent Representative of Sweden
to the United Nations

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* E/1990/2.

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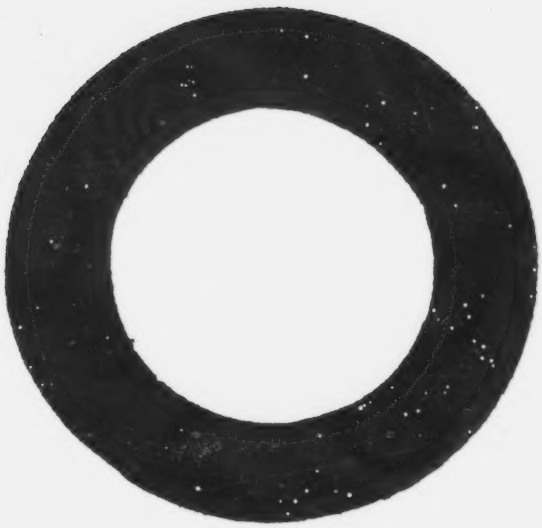

UNITED
NATIONS

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Economic and Social Council

Distr.
GENERAL

E/1990/20
2 April 1990
ENGLISH
ORIGINAL: ENGLISH/FRENCH

First regular session of 1990
Item 2 of the provisional agenda

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report of the Secretary-General

SUMMARY

The Second Decade to Combat Racism and Racial Discrimination was proclaimed by the General Assembly in resolution 38/14 of 22 November 1983. In that resolution, the Assembly requested the Economic and Social Council to take charge, with the help of the Secretary-General, of co-ordinating the implementation of the Programme of Action for the Decade and of evaluating the activities undertaken. In paragraph 24 of resolution 44/52, the Assembly requested the Council to submit to it during the Decade annual reports containing, inter alia, an enumeration of activities, a review and appraisal of those activities and its suggestions and recommendations.

In paragraph 10 of resolution 39/16, the General Assembly requested Governments to forward a report every two years on the action taken under the Programme of Action for the Second Decade, on the basis of a questionnaire circulated by the Secretary-General.

The Council, in paragraph 6 of its resolution 1985/19, requested the Secretary-General to submit annual reports on the implementation of the Programme of Action. The Council, in paragraph 9 of resolution 1989/83, requested the Secretary-General, in his reports, to continue to pay special attention to the situation of migrant workers and their families.

The present report contains information on activities relating to the Second Decade carried out or planned within the United Nations system and information received from Governments, intergovernmental and non-governmental organizations.

The second part of the report will contain an analysis of the replies received from Governments on the basis of the questionnaire circulated by the Secretary-General pursuant to paragraph 10 of General Assembly resolution 39/16. The Governments concerned are: Barbados, Chile, Czechoslovakia, Dominican Republic, France, German Democratic Republic, Rwanda and Yemen.

READEX FICHE

CONTENTS

	Paragraphs	Page
INTRODUCTION	1 - 9	5
I. IMPLEMENTATION OF THE PROGRAMME OF ACTION WITHIN THE UNITED NATIONS SYSTEM	10 - 57	7
A. General Assembly	10 - 16	7
B. Centre against Apartheid and the Special Committee against Apartheid	17 - 24	8
C. Centre on Transnational Corporations	25	9
D. Commission on Human Rights	26 - 31	10
E. Sub-Commission on Prevention of Discrimination and Protection of Minorities	32 - 33	11
F. Committee on the Elimination of Racial Discrimination	34 - 39	11
G. Council for Namibia	40	12
H. Group of Three under the Apartheid Convention	41 - 42	12
I. Co-ordinator for the Second Decade	43 - 53	13
J. United Nations seminar on cultural dialogue between the countries of origin and the host countries of migrant workers	54 - 57	16
II. INFORMATION RECEIVED FROM GOVERNMENTS	58 - 78	17
A. China	58 - 63	17
B. Holy See	64 - 68	17
C. Iran (Islamic Republic of)	69 - 74	18
D. Malawi	75	19
E. Netherlands	76	19
F. New Zealand	77 - 78	19

CONTENTS (continued)

		Paragraphs	Page
III.	INFORMATION RECEIVED FROM SPECIALIZED AGENCIES	79 - 114	20
	A. International Labour Organisation	79 - 96	20
	B. Food and Agriculture Organization of the United Nations	97 - 105	24
	C. International Civil Aviation Organization	106	25
	D. World Bank	107	26
	E. Universal Postal Union	108 - 114	26
IV.	INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS WITH THE ECONOMIC AND SOCIAL COUNCIL ..	115 - 132	27
	A. All Pakistan Women's Association	115 - 116	27
	B. B'nai B'rith (Anti-Defamation League)	117	27
	C. International Association of Lions Clubs	118	27
	D. International Federation of Social Workers	119 - 123	28
	E. International fédération terre des hommes	124 - 127	28
	F. International Organization of Consumers Unions	128 - 129	29
	G. Inter-Parliamentary Union	130 - 131	29
	H. Salvation Army	132	30

INTRODUCTION

1. The General Assembly, in its resolution 38/14, proclaimed the 10-year period beginning on 10 December 1983 the Second Decade to Combat Racism and Racial Discrimination. The Assembly also approved the Programme of Action for the Second Decade, which was annexed to the resolution, and called upon all States to co-operate in its implementation. The Assembly also requested the Economic and Social Council to take charge, with the help of the Secretary-General, of co-ordinating the implementation of the Programme of Action and of evaluating the activities undertaken during the Second Decade.

2. In paragraph 10 of resolution 39/16 of 23 November 1984, the General Assembly requested Governments to forward a report every two years on the action taken under the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, on the basis of a questionnaire circulated by the Secretary-General; the reports were to be transmitted to the Economic and Social Council for its consideration.

3. The questionnaire was sent to all Governments under cover of a note verbale dated 25 October 1989.

4. The General Assembly, in paragraph 24 of its resolution 44/52, reiterated its request to the Council, during the period of the Second Decade, to submit annual reports to the General Assembly, containing, inter alia:

(a) An enumeration of the activities undertaken or contemplated to achieve the objectives of the Second Decade, including the activities of Governments, United Nations bodies, the specialized agencies and other international and regional organizations, as well as non-governmental organizations;

(b) A review and appraisal of those activities;

(c) Its suggestions and recommendations.

5. The Economic and Social Council, in paragraph 6 of its resolution 1985/19, requested the Secretary-General to submit annual reports on the implementation of the Programme of Action for the Second Decade and, in paragraph 14 of resolution 1988/6, requested the Secretary-General to present, in his future annual reports, more detailed information on the relevant activities of all Governments, United Nations bodies, the specialized agencies and intergovernmental organizations in consultative status with the Economic and Social Council.

6. The Council, in paragraph 9 of its resolution 1989/83, requests the Secretary-General, in his reports, to continue to pay special attention to the situation of migrant workers and their families. In paragraph 6 of the same resolution, the Council invites the Secretary-General to proceed with the implementation of the activities for the period 1990-1993 listed in the same annex to General Assembly resolution 42/47, and requests him to accord the highest priority to measures to combat apartheid.

7. The present report is in response to the requests contained in paragraph 10 of resolution 39/16, paragraph 6 of Council resolution 1985/19 and paragraph 9 of Council resolution 1989/83. It is intended to assist the Council in fulfilling its responsibility to co-ordinate the activities of the Second Decade under paragraph 4 of Assembly resolution 38/14 and in submitting to the Assembly the annual report containing, inter alia, a review and appraisal of the activities and suggestions and recommendations pursuant to paragraph 24 of Assembly resolution 44/52.

8. In preparing the first part of the report the Secretary-General sent communications (on 18 October 1989) to all Governments, the specialized agencies, concerned United Nations bodies, intergovernmental organizations and non-governmental organizations in consultative status. Those communications requested information on the implementation of the Programme of Action for the Second Decade which envisaged action in the following spheres:

(a) Action to combat apartheid;

(b) Implementation of international instruments (International Convention on the Elimination of All Forms of Racial Discrimination, International Convention on the Suppression and Punishment of the Crime of Apartheid, other instruments);

(c) National legislation and institutions (adoption of legislation, recourse procedures, community relations commissions);

(d) Measures taken to protect vulnerable groups against discrimination (migrant workers, immigrants, indigenous peoples);

(e) Education, teaching, training and seminars;

(f) Research into the causes of racism, effects of discrimination and ways of preventing racism;

(g) Dissemination of information, publications;

(h) Contribution of non-governmental organizations;

(i) International co-operation.

9. In the communications to Governments and organizations, the Secretary-General drew attention to the Assembly's strong appeal to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund for the Programme for the Decade.

I. IMPLEMENTATION OF THE PROGRAMME OF ACTION WITHIN THE UNITED NATIONS SYSTEM

A. General Assembly

10. The General Assembly, at its forty-fourth session, in considering its agenda item on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, had before it the report of the Secretary-General on the Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (A/44/595), containing information on the activities undertaken to achieve the objectives of the Decade. The final report on the role of private group action to combat racism and racial discrimination (A/44/575), and a note concerning the publication of the Global Compilation of National Legislation against Racism and Racial Discrimination (A/44/574).

11. The Assembly adopted resolution 44/52 in which it decided that the international community, in general, and the United Nations, in particular, should continue to give the highest priority to programmes for combating racism, racial discrimination and apartheid, especially in South Africa and Namibia and in occupied territories and territories under alien domination.

12. The Assembly also appealed to all Governments and to international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of those evils. The Assembly also invited them to participate fully in the implementation of the plan of activities for the Second Decade for the period 1985-1989 and 1990-1993.

13. With regard to the specific activities of the Second Decade, the Assembly requested the Secretary-General, pursuant to General Assembly resolution 42/47, to ensure that sufficient additional resources are included in the proposed regular programme budget for the bienniums 1990-1991 and 1992-1993 to provide for the implementation of the activities of the Second Decade and to inform the Assembly on the steps taken in that regard. The Assembly requested the Secretary-General to continue the study on the effects of racial discrimination in the field of education, training and employment as it affects the children of minorities, in particular those of migrant workers (A/42/492), by submitting specific recommendations for the implementation of measures to combat the effects of that discrimination.

14. The Assembly welcomed the completion and the submission to the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the study of the results achieved and the obstacles encountered during the first Decade for Action to Combat Racism and Racial Discrimination and the first half of the Second Decade (E/CN.4/1989/8 and Add.1) and requested the Commission on Human Rights to transmit that study to the General Assembly at its forty-fifth session.

15. The Assembly further requested the Secretary-General to prepare and issue as soon as possible a collection of model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination. It also

requested the Secretary-General to prepare and finalize, with the appropriate assistance of qualified experts, if possible, a handbook of recourse procedures for victims of racial discrimination in the light of the results of the seminars held on this topic.

16. In a related field, the General Assembly has continued to give close consideration for a number of years to the preparation of an international convention on the protection of the rights of all migrant workers and their families, in particular, through a working group which meets twice a year to prepare the convention. At its forty-fourth session, the Assembly had before it two reports of the Working Group and decided, in its resolution 44/155, that the Working Group should meet twice in 1990, in order to complete the second reading of the remaining articles of the draft convention and to also consider the results of the technical review of the text of the articles that have been approved by the Working Group.

B. Centre against Apartheid and the Special Committee against Apartheid

17. The Centre against Apartheid reports that during 1989 a number of political developments have had an impact on southern Africa. The relaxation of political tension among the major Powers is improving the climate of international co-operation and is leading to an active search for peaceful settlements to regional conflicts, notably in southern Africa. During this period, the activities of the Special Committee also aimed at promoting an international consensus which could lead to and help the parties concerned in South Africa to negotiate a political solution to the crisis prevailing in that country.

18. Also during this period, the Special Committee against Apartheid continued to monitor the situation in South Africa and the relevant actions of the international community and to promote international campaigns for the isolation of the apartheid régime. Focusing on activities that have maximum potential for influencing decision-making and for mobilizing world public opinion, the Special Committee carefully chose its targets for action in an effort to generate a multiplier effect in its anti-apartheid work. It organized and sponsored seminars and hearings with Governments, educators, religious individuals and prominent personalities. It also promoted contacts among opponents of apartheid and assisted, within its means, the anti-apartheid resistance both inside and outside South Africa.

19. The Special Committee also proposed to the General Assembly appropriate policies reflected in resolutions adopted in 1988 and 1989. Through these resolutions, the Special Committee specified the necessary steps the apartheid régime would need to take in order to create an appropriate climate for negotiations with the leaders of the black majority. It also defined the responsibility of all members of the international community to pressure South Africa towards a peaceful end to apartheid. Sanctions and international isolation are considered the main instruments of this pressure. Pending the implementation of comprehensive and mandatory sanctions, the Special Committee recommended the strict implementation and co-ordination of sanctions in a number of areas critical

for the functioning of the South African economy. It also called for international support of the liberation struggle and solidarity with the resistance to apartheid.

20. The Special Committee availed itself of many opportunities to draw the attention of the international community to the repression in South Africa and to the resistance of individuals and organizations to apartheid. It also organized visits, meetings and events to encourage and generate support, moral as well as material, to anti-apartheid forces and to victims of apartheid.

21. The United Nations Centre against Apartheid and the Department of Public Information jointly produced a travelling exhibit entitled "Apartheid South Africa" which opened at the United Nations on International Day for the Elimination of Racial Discrimination (21 March 1989). Following its opening in New York, the exhibit was shown in Tokyo from 5 to 16 June 1989, under the sponsorship of the United Nations Information Centre and the DENTSU Corporation, and in Canberra and Sydney (Australia) from 9 August to 3 September 1989. The French version of the exhibit opened in Geneva in September 1989 during the International Non-Governmental Organizations Seminar on Education againt Apartheid. The exhibit will be shown in different parts of the world in connection with major annual events organized by the United Nations to promote international support for the liberation struggle in South Africa. The Department of Public Information, in co-operation with the Centre against Apartheid, has also produced two half-hour videotapes entitled "Artists against apartheid" and "World against apartheid", which are being used to strengthen the international campaign for the isolation of the apartheid régime.

22. A special session of the General Assembly on apartheid and its destructive consequences was held from 12 to 14 December 1989. At the end of its deliberations, the General Assembly adopted by consensus a declaration on measures to be taken in order to create a favourable climate conducive to negotiations and on the process and the objectives of such negotiations towards an early eradication of apartheid.

23. The activities of the Centre and of the Special Committee against Apartheid contributed to the United Nations action on racism and human rights. They had an impact, in the United Nations system and outside, on issues such as the social responsibility of transnational corporations, the Olympic principle of non-racialism in sport, cultural isolation of South Africa, capital punishment and torture of prisoners.

24. Reference is made to the folloing reports to the forty-fourth session of the General Assembly and the Security Council which give a full picture of the diverse activities aimed at the elimination of apartheid: A/44/22, A/44/44, A/44/47, A/44/533 and A/44/555.

C. Centre on Transnational Corporations

25. The Centre on Transnational Corporations refers to a selection of documents and sales publications prepared by the Centre, the proceedings of the 1985 public hearings on the activities of transnational corporations in South Africa and

Namibia, and the background papers from the 1989 hearings held at Geneva last September, details of which can be provided on request.

D. Commission on Human Rights

26. The Commission on Human Rights, at its forty-sixth session, considered the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and had before it the report of the Secretary-General (E/CN.4/1990/36), in accordance with Commission resolution 1989/9.

27. The Commission adopted, without a vote, resolution 1990/13 on the implementation of the Programme of Action for the Second Decade in which it invited all Governments and international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of these evils and urged all States and international organizations to co-operate with the Secretary-General in the implementation of the plan of activities for the period 1985-1989 (A/39/167-E/1983/33 and Add.1-2).

28. In the resolution, the Commission decided to give thematic consideration each year to a selected topic within the plan of activities for 1990-1993, as listed in the annex to General Assembly resolution 42/47. The Commission also recalled its resolution 1989/9, in which it decided that the topic for such thematic consideration in 1991 would be "ways and means of denying support to racist régimes with a view to making them change their policies". It further decided that the topic for 1992 would be "treatment of political prisoners and detainees in South Africa, particularly women and children". The Commission also invited the Secretary-General to ensure the effective implementation of those activities proposed for the first half of the Decade that had not yet been undertaken and to proceed with the implementation of the activities for the period 1990-1993 listed in the annex to General Assembly resolution 42/47. The Commission further requested the Secretary-General to organize in 1990 a meeting of representatives of national institutions and organizations promoting tolerance and harmony and combating racism and racial discrimination with a view to exchanging experience on the promotion of such objectives. It also requested the Secretary-General to inform the Commission of the measures taken to ensure the inclusion in the bienniums 1990-1991 and 1992-1993 of sufficient resources to provide implementation of the activities of the Second Decade listed in the annex to General Assembly resolution 42/47.

29. The Commission further took note with satisfaction of the study by the Special Rapporteur of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, Mr. Asbjorn Eide, on the results achieved and the obstacles encountered during the first Decade for Action to Combat Racism and Racial Discrimination and the first half of the Second Decade (E/CN.4/Sub.2/1989/8 and Add.1), decided to transmit it to the General Assembly at its forty-fifth session and recommended that it be published and distributed on as wide a scale as possible.

30. In addition to its specific consideration of the implementation of the Programme of Action for the Second Decade, the Commission, at its forty-sixth session, dealt with other topics with direct bearing on the elimination of racism and racial discrimination. The question of violations of human rights in southern Africa was one such subject which the Commission considered in particular in relation to the report of the Ad Hoc Working Group of Experts (E/CN.4/1990/7). Reference may be made to resolutions adopted by the Commission on the matter: resolution 1990/11 on the violation of human rights in southern Africa; and resolution 1990/26 on detention, torture and other inhuman treatment of children in South Africa and Namibia.

31. The Commission also dealt with the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa and in that connection it had before it an updated report by the Special Rapporteur of the Sub-Commission, Mr. Khalifa, containing a list of banks, transnational corporations and other organizations assisting the racist régime of South Africa (E/CN.4/Sub.2/1989/9 and Add.1).

E. Sub-Commission on Prevention of Discrimination and Protection of Minorities

32. The Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-sixth session in 1983 decided, as its contribution to the Decade for Action to Combat Racism and Racial Discrimination, to entrust Mr. Asbjorn Eide with the preparation of a study on the achievements made and obstacles encountered during the Decade, with special emphasis on the progress, if any, between the first and second World Conference to Combat Racism and Racial Discrimination.

33. At its forty-first session in 1989, the Sub-Commission examined the final study submitted by the Special Rapporteur, Mr. A. Eide (E/CN.4/Sub.2/1989/8/Add.1), and adopted resolution 1989/19 of 31 August 1989, in which it expressed its appreciation and grateful thanks to Mr. Eide, for his valuable, wide-ranging and enduring study on the achievements made and obstacles encountered during the Decade for Action to Combat Racism and Racial Discrimination. The Sub-Commission decided to refer the study, together with the summary records of the debates on that issue at the forty-first session of the Sub-Commission, to the Commission on Human Rights for further consideration. The Sub-Commission also strongly recommended to the Commission that the final report of the Special Rapporteur be published and distributed on as wide a scale as possible. It further decided to consider, at its forty-second session, the recommendations made by the Special Rapporteur and their implementation.

F. Committee on the Elimination of Racial Discrimination

34. At its thirty-seventh session, in 1989, the Committee considered the revision and updating of its study on "the progress made towards the achievement of the objectives of the International Convention on the Elimination of All Forms of

Racial Discrimination" (CERD/1), which it had initially prepared on the occasion of the World Conference to Combat Racism and Racial Discrimination, in 1978. The Committee discussed the study on the basis of amendments and proposals submitted by Messrs. Banton and Yutzis, the two designated members to update the study.

35. At the same session, the Committee agreed that the first draft revision of the study, taking into account the views expressed by the members of the Committee, should be prepared by the Secretariat, in consultation with the designated members, for the approval of the Committee at its thirty-eighth session.

36. The Committee also discussed the report of the Secretary-General on the Global Consultation on Racism and Racial Discrimination (E/1989/48) and endorsed the conclusions and suggestions that had emerged from the Consultation.

37. In addition, the Committee considered a number of proposals for the commemoration of its twentieth year of activities under the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee decided, subject to the availability of resources and the approval of the General Assembly at its forty-fourth session, to hold a commemorative session of three weeks' duration in New York, the site of its first meeting and, in conformity with article 10, paragraph 4, of the Convention, to coincide with the commemoration of the International Day for the Elimination of Racial Discrimination, 21 March 1990, which will also be the thirtieth anniversary of the Sharpeville massacre.

38. By its resolution 44/68 on the report of the Committee on the Elimination of Racial Discrimination (A/44/18), the General Assembly endorsed the decision of the Committee referred to above. The Assembly strongly appealed to all States Parties, especially those in arrears, to fulfil their financial obligations under article 8, paragraph 6, of the Convention and to pay their outstanding contributions and, if possible, their contributions for 1990 before 1 February 1990 so as to enable the Committee to meet regularly.

39. In view of the insufficient financial resources available, due mostly to the outstanding contributions of Staes Parties to the Convention, the session of the Committee had to be cancelled.

G. Council for Namibia

40. The Council for Namibia refers to its latest report, "Social conditions in Namibia" (A/AC.131/1989/CRP.11/Rev.1), which reflects the prevailing situation through 31 March 1989. It should be noted that since then, conditions have gradually changed due to the implementation of the Settlement Plan for the Granting of Independence to Namibia contained in Security Council resolution 435 (1978).

H. Group of Three under the Apartheid Convention

41. The International Convention on the Suppression and Punishment of the Crime of Apartheid, which was adopted by the General Assembly in 1973, entered into force in July 1976. As at 31 December 1989, there were 88 States Parties to the Convention.

42. In accordance with article IX of the Convention, the Chairman of the Commission on Human Rights is authorized to appoint a group consisting of three members of the Commission, who are also representatives of States Parties to the Convention, to consider reports submitted by States Parties in accordance with article VII. That Group consisted of Nigeria, Panama and the Ukrainian Soviet Socialist Republic. The Group, which met one week prior to the Commission's forty-sixth session, considered reports submitted by the Bahamas, Burundi, China, Czechoslovakia, India, Pakistan and the Philippines. It also considered actions of transnational corporations which operate in South Africa, in accordance with Commission resolution 1989/8. The Group submitted a report containing its conclusions and recommendations to the Commission on Human Rights at its forty-sixth session (E/CN.4/1990/35).

I. Co-ordinator for the Second Decade

43. The General Assembly, in paragraph 5 of its resolution 44/52, took note of the efforts made to co-ordinate the programmes currently under implementation by the United Nations system as they related to the objectives of the Second Decade, and encouraged the Co-ordinator for the Second Decade, Mr. Jan Martenson, to continue his efforts in that respect. Pursuant to that mandate, the Co-ordinator has initiated and maintained contacts at the senior level within the various offices of the United Nations with a view to co-ordinating the activities already under way or planned, and identifying areas in which new initiatives might be taken. Particular mention in this regard should be made of co-operation with the Centre against Apartheid and the United Nations Centre on Transnational Corporations.

44. In order to improve co-ordination, the Co-ordinator, with the strong support of the Secretary-General, discussed the question of the implementation of the Programme of Action for the Decade during the second regular session of the Administrative Committee on Co-ordination (ACC) for 1989, held on 19 and 20 October 1989 in New York. Under the item "Progress reports: (b) Inter-agency activities undertaken in the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination", the Co-ordinator reported on recent progress in the field and made specific recommendations for future action.

45. Regular meetings by the Co-ordinator with the media are another important way of making the United Nations role in the combat against racism better known and of mobilizing public support for the objectives of the Second Decade. In addition to periodic meetings with the press, the co-ordinator has on numerous occasions spoken of the fight aqaint racism and racial discrimination in television and radio interviews on stations world wide and in United Nations boradcasts. The Co-ordinator also reviewed with the press the implementation of the overall programme of activities, including recently completed activities and those scheduled for the coming year, and asked the assistance of the press in making United Nations efforts on behalf of equality, human dignity and non-discrimination better known.

46. The strengthening of contacts and co-operation with non-governmental organizations is another priority area for the Co-ordinator in furthering the realization of the Programme of Action for the Second Decade. The concern of non-governmental organizations with racism and racial discrimination has been amply demonstrated by their active participation in meetings, conferences and seminars organized in the context of the Decade. In particular, the important contribution of non-governmental organizations to the success of the seminars on the effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States and on cultural dialogue between countries of origin and the host countries of migrant workers merits recognition. The Co-ordinator meets periodically with the non-governmental organizations concerned to discuss and expand their activities.

47. The Co-ordinator contributed to other meetings relevant to the Decade to Combat Racism, such as the seminar on education against apartheid, which took place in Geneva in September 1989. The seminar was organized by the non-governmental organizations Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization, in co-operation with the United Nations Special Committee against Apartheid. The seminar focused its discussion on the following issues relevant to the ongoing Decade activities: review of the situation in South Africa, international response to it and reflection of it in international educational systems and programmes; review of anti-apartheid action in the framework of formal educational institutions and the implications for teachers and students; impact of conferences, seminars, workshops etc, on education against apartheid; mobilization of the public through the media, religious bodies, activities of non-governmental organizations and other channels of communication; and exchange of ways and means to promote world-wide education on/against apartheid and support for the liberation struggle in South Africa.

48. The Co-ordinator addressed the international seminar on cultural dialogue between the countries of origin and the host countries of migrant workers which was held in Athens in September 1989. In his opening statement to the seminar, the Co-ordinator placed the seminar within the overall efforts of the United Nations to combat racism and racial discrimination and stressed the need to provide protection for the particularly vulnerable group of migrant workers and their families. He pointed out that immigrants had contributed to building modern, industrial societies and that certain responsibilities followed thereform on the part of host countries (for more detailed information, see sect. J below).

49. The Co-ordinator also contributed to the public hearing organized by the United Nations Centre on Transnational Corporations on the role of the transnational corporations in South Africa and Namibia, held in Geneva, in September 1989. The hearing by the 11-member panel of eminent persons was informed of the various activities supported or carried out by the Centre for Human Rights relating to the elimination of apartheid. Specific attention was given to the list of banks, transnational corporations and other organizations assisting the racist régime of South Africa, compiled annually by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Ahmed Khalifa, to the work of the Ad Hoc Working Group of Experts on Southern Africa, which reported annually to the Commission on Human Rights, and to the implementation of the International Convention on the Suppression and Punishment of

the Crime of Apartheid by the Commission on Human Rights. In connection with the hearings, a special exhibition, opened by the Co-ordinator, was held at the Palais des Nations, Geneva, drawing attention to the struggle against apartheid in South Africa.

50. In order to emphasize the essential connection between the United Nations and the fight against racial discrimination, the Co-ordinator, in his capacity as Under-Secretary-General for Human Rights and Director-General of the United Nations Office at Geneva, organized a round-table discussion at Geneva on 22 October 1989, in observance of United Nations Day, on the role of the United Nations in the promotion and protection of human rights, with specific reference to the fight againt racism and racial discrimination. That public discussion, which took place in the context of an "open day", when some 12,000 members of the public visited the Palais des Nations, and under the chairmanship of the Co-ordinator, attracted a capacity audience in one of the largest meeting rooms at the Palais des Nations.

51. An exhibit entitled Auschwitz, Crimes Against Humanity, was opened on 19 March 1990 at the Palais des Nations by the Co-ordinator. The exhibit, organized by the International Auschwitz Committee and the Auschwitz State Museum of Poland, was first shown for three months in 1985/86 at United Nations Headquarters. In his opening statement, the Co-ordinator recalled that the exhibition reminded everyone of the dangers represented by ideologies of exclusion to the enjoyment of the fundamental human rights proclaimed in the Universal Declaration of Human Rights. The exhibit called for vigilance against all such acts, which had outraged the conscience of mankind, and underlined the importance of securing respect for human rights and fundamental freedoms without distinction of any kind, such as race, colour, sex, social origin, religion, birth and other status.

52. At the invitation by the Special Committee against Apartheid, the Co-ordinator addressed a meeting organized by the Committee, on 21 March 1990, for the observance of the International Day for the Elimination of Racial Discrimination. The meeting was sponsored by the Special Committee against Apartheid and co-sponsored by the Committee on the Elimination of Racial Discrimination. In his statement, the Co-ordinator underlined the activities undertaken under the Second Decade to Combat Racism and Racial Discrimination, in particular in terms of system-wide co-ordination, enhanced co-operation with the NGO community, the strengthening of public information activities and the inclusion of activities aimed at eradicating racial discrimination in the programme of advisory services and technical assistance in the field of human rights.

53. On 21 March 1990, a meeting was held at the United Nations Office at Geneva in observance of the International Day for the Elimination of Racial Discrimination. Mr. Kenneth Dadzie, Secretary-General of the United Nations Conference on Trade and Development, addressed and chaired the meeting on behalf of the Secretary-General of the United Nations and the Co-ordinator for the Second Decade. The Chairpersons of each of the five regional groups and the representatives of non-governmental organizations active against racial discrimination and apartheid addressed the meeting, which was also attended by representatives of permanent missions to the United Nations Office at Geneva, representatives of non-governmental organizations and several staff members of the United Nations Secretariat.

J. United Nations seminar on cultural dialogue between the countries of origin and the host countries of migrant workers

54. The General Assembly, in resolution 41/94 of 4 December 1986, requested the Economic and Social Council to envisage the organization of a seminar on cultural dialogue between the countries of origin and the host countries of migrant workers within the programme of activities for 1985-1989 to implement the Programme of Action for the Second Decade. That request was repeated by the Assembly in its resolution 42/47 of 30 November 1987, and the Economic and Social Council, at its first regular session of 1988, in resolution 1988/6, requested the Secretary-General to organize such a seminar in 1989. At the invitation of the Government of Greece, the seminar took place in Athens from 18 to 26 September 1989. The agenda of the seminar was as follows:

(a) Effectiveness of international norms and practical measures aimed at the acceptance of basic principles relating to the treatment and protection of migrant workers and their families;

(b) Exchange of information on the cultural life of migrant workers and their families between the States of origin and the host countries;

(c) Experience in the establishment of institutions and/or procedures in the States of origin and the host countries for the special needs - social, health, etc. - of migrant workers and their families;

(d) Discrimination experienced by migrant workers and their families with regard to educational facilities, teaching programmes and school curricula;

(e) Participation in public affairs, including the right to vote and to be elected, the right to freedom of association, and the right to joint trade unions, in the host countries and the States of origin.

55. Participants were nominated by the Governments of Algeria, Australia, Brazil, Cyprus, France, Federal Republic of Germany, Ghana, Greece, India, Mexico, Morocco, Netherlands, Norway, Philippines, Poland, Portugal, Senegal, Spain, Sweden, Switzerland, Turkey, Tunisia, Union of Soviet Socialist Republics and Yugoslavia. The Centre for Human Rights invited the following four experts to lecture, lead discussions and act as resource persons: Mr. Danilo Türk (Yugoslavia), Mrs. Erica-Irene A. Daes (Greece), Mr. Tom Achacoso (Philippines) and Mr. Bengt Lidal (Sweden). The seminar elected Mrs. Erica-Irene A. Daes as Chairman.

56. The seminar adopted conclusions and 19 recommendations which were contained in the report of the seminar (E/CN.4/1990/50) and submitted them to the Commission on Human Rights for consideration at its forty-sixth session.

57. At its forty-fourth session, the General Assembly took note of the conclusions and recommendations of this seminar (A/C.3/44/CRP.1). The Assembly requested the Secretary-General to give the report wide distribution among Governments, United Nations bodies, specialized agencies, intergovernmental and non-governmental organizations.

II. INFORMATION RECEIVED FROM GOVERNMENTS

A. China

58. China states that, as a signatory to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, it had been making a persistent effort to combat racial discrimination and apartheid all over the world, and actively to contribute to the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

59. On 21 March, Premier Li Peng sent a telegram to the chairman of the United Nations Special Committee against Apartheid, in which he reiterated the support of his Government and people for the just struggle of the people of South Africa for racial equality and fundamental human rights.

60. On 2 November, a Chinese Foreign Ministry spokesman again stated that the Government of China was steadfast in its support of the just struggle of the people of South Africa against racism, and would not enter into any official relations with South Africa. Neither would it allow Chinese firms to trade with South African companies. China's position had never changed in this respect.

61. On 7 November, the representative of China to the General Assembly at its forty-fourth session called upon the international community to continue to exert strong pressure on South Africa and give active support and generous aid to the people of South Africa until they achieved final victory in their struggle against apartheid.

62. In March 1989, as in previous years, in addition to its moral support, China donated $US 30,000 to the United Nations Trust Fund for South Africa.

63. The Government of China seeks to act in consort with the Governments of other Member States to do what is necessary for the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

B. Holy See

64. The Holy See renewed its adherence to the efforts of the United Nations organizations which aimed to promote ever more effectively respect for fundamental rights, the liberty and dignity of each person belonging to any group, without distinction of race, colour, language, belief, sex or any other social or cultural condition.

65. The Holy See's own action to oppose racial discrimination was, above all, a task of educating consciences guided by the light of the Gospel. The nucleus of pontifical teaching in that field included a clear-cut rejection of racial and other forms of discrimination and a reaffirmation of the particular necessity to struggle against the scourge of racism in order to promote respect for the rights of the human person. The Catholic Church responded vigorously to each

manifestation of discrimination, especially that founded on race, wherever it was practised, because before God all peoples and all persons had equal dignity and equal importance.

66. The Holy See referred to several statements delivered during 1987-1989 which highlighted the action of the Holy See in that field. Reference was also made to a report on the church and racism, published in November 1988 by the Pontifical Commission.

67. The Holy See pointed out that in local churches, from the level of episcopal conferences down to that of parishes, the problem of racial discrimination was given constant attention, especially in countries where its manifestations were unfortunately more acute and sometimes tragic. Even though, owing to the autonomy of local churches in the pastoral field, it would be inappropriate for the Holy See to mention local initiatives by the Catholic Church to combat the scourge of racial discrimination, that dimension - which real, though not always known - should nevertheless be borne in mind.

68. However, given the dramatic relevance of the situation in South Africa, it seemed useful to refer to three major texts issued by the Southern African Catholic Bishops' Conference during 1989. In those texts the crucial problems of that country were highlighted and indications were given as a specific contribution of the Catholic Church towards overcoming the current crisis: Statement on education crisis, 22 May 1989; Pastoral letter on election, of 6 September 1989; and Statement on negotiations, 26 October 1989.

C. Iran (Islamic Republic of)

69. The Government of the Islamic Republic of Iran stated that paragraph 14 of article 3 of the Constitution of the Islamic Republic of Iran stipulated the equal rights and equitable juridical security for men and women alike in every respect and equality of all people before the law. Article 19 of the Constitution specifies: "The people of Iran, belonging to whatever ethnic or tribal group, shall enjoy equal rights and the complexion, race, language and the like shall not be considered as a privilege."

70. The Islamic Republic of Iran had ruptured all relations with the racist régime of South Africa in the very early days of the victory of the Islamic Revolution (1979) and had cut its oil export to that country. Iran had supported in every possible way the front-line States and the people of South Africa. In that same vein, the national airline of the Islamic Republic of Iran (Iran Air) had no air transport contract with South African Airline (SAL).

71. As far as international co-operation to combat racism and apartheid is concerned, the Islamic Republic of Iran had actively participated in international gatherings to that effect, including the anti-apartheid conferences in Burkina Faso (1987), the United Republic of Tanzania (1987) and Nigeria (1988).

72. With regard to the question of apartheid, the Islamic Republic of Iran had been very active in the United Nations and the non-aligned movement. It had

consistently condemned the racial policies of the apartheid régime of Pretoria and co-sponsored the relevant resolutions in both forums.

73. The Ministry of Foreign Affairs of the Islamic Republic of Iran had also on various occasions issued statements supporting the struggle of the African people and condemning the apartheid régime. Moreover, the Bureau for Political and International Studies of the Ministry of Foreign Affairs, in addition to its current research projects on the question of racism and apartheid, intended to hold an international seminar on racism and racial discrimination in commemoration of the resistance of the oppressed people of Africa.

74. As part of the official government policy to inform and enlighten the citizenry, extensive coverage in the public media was accorded to the racial policies of the Pretoria régime. Publication and distribution of books and pamphlets was another line of activity in that regard; hence, the recent translation and publication of the two books, entitled The Mandela's Defence and The Painful Road to Freedom.

D. Malawi

75. The Government of Malawi stated that there was no segregation or racial discrimination in Malawi; people lived in total harmony and mixed with others regardless of race, colour, religion or nationality. His Excellency, the Life President of Malawi, Ngwazi Dr. H. Kamuzu Banda, emphasized the non-interference with the people of other races and indeed that was seen in practice.

E. Netherlands

76. The Government of Netherlands referred to its eighth periodic report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/158/Add.9).

F. New Zealand

77. The Government of New Zealand referred to the statement made by its representative to the Third Committee of the General Assembly at its forty-fourth session on the implementation of the activities for the Second Decade.

78. The Government further referred to its eighth and ninth reports to the Committee on the Elimination of Racial Discrimination, which would include information covering most of the questions raised by Council resolution 1989/83.

III. INFORMATION RECEIVED FROM SPECIALIZED AGENCIES

A. International Labour Organisation

1. Action to combat apartheid

79. A major development in 1989 in ILO action against apartheid was the setting up of a group of three independent experts to monitor sanctions and other actions against apartheid throughout the world, as specified in the Declaration and Programme of Action, with special attention to action taken to circumvent such measures. The establishment of the group was in compliance with a recommendation to that effect made by the Committee on Action against Apartheid at the seventy-fifth session (June 1988) of the International Labour Conference. The recommendation also specified the tasks to be performed by the group. They included:

(a) Investigating and evaluating the effects of present sanctions measures;

(b) Conducting feasibility and case-studies on sanctions;

(c) Regularly surveying and updating the state of world trade with South Africa;

(d) Maintaining a register of investment and disinvestment in South Africa;

(e) Publishing, three times a year, the results of the research.

In addition, the group was requested to carry out its mandate in close co-operation with other United Nations bodies and international organizations which also collected information on sanctions and other actions against apartheid, to avoid duplication.

80. Further developments also occurred in ILO's efforts to prepare a programme of proposals to assist Namibia after independence. An exploratory mission was sent to Namibia in September 1989. It held discussions with the trade unions, employers and the administration with a view to identifying possible areas for ILO's technical assistance to Namibia. The areas identified included labour administration, employment promotion, vocational rehabilitation and workers' education.

81. As in previous years, significant components of ILO's work continued to be the monitoring of action taken or not taken against apartheid by ILO constituent members, technical co-operation projects to assist the victims of apartheid, research and information dissemination on current developments in the labour and social fields and action to protect human rights and the implementation of international labour standards.

82. In compliance with paragraph 5 (a) and (b) of the updated Declaration of Action against Apartheid in South Africa and Namibia, the Committee on Discrimination at the 243rd session of the Governing Body (May-June 1989), reviewed the most recent information supplied by Governments and employers' and workers'

organizations regarding their action against apartheid. The information was provided by the ILO's tripartite members in response to the questionnaire sent in July 1988 which also reflected the recommendations contained in the conclusions of the Committee on Action against Apartheid in June 1988. There was a decrease in the number of replies received (from 271 in 1988 to 248 in 1989).

83. The conclusions also called upon the ILO Director-General to inform the Government of South Africa about the Conference's deep concern about the lack of progress so far made in the abolition of the apartheid system and also to appeal strongly to that Government to end the state of emergency.

84. Specific recommendations were also adopted in relation to Namibia. Governments, for example, were urged to support the Secretary-General of the United Nations in the efforts being made to ensure the implementation of resolution 435. In addition, all the ILO tripartite members were requested to provide maximum assistance to the people of Namibia with a view to promoting the development of a strong democratic nation and independent workers' organizations. The ILO should also intensify its projects and programmes to assist Namibia.

85. Several measures were undertaken by the ILO after the International Labour Conference in June 1989. For example, a request for up-to-date information on action taken or not taken against apartheid for inclusions in the special report or the Director-General for 1990 was addressed in August 1989 to Governments and employers' and workers' organizations. The request was accompanied, inter alia, by a detailed memorandum which referred to the recommendations contained in the conclusions of the Conference Committee on Action against Apartheid in June 1989. Requests for information on international action against apartheid were also sent to the United Nations, its specialized agencies and other intergovernmental organizations. Work also began on the gold market study.

86. In 1989, about 13 projects continued to be implemented geared to assisting the victims of apartheid in such areas as vocational training, vocational rehabilitation, labour administration, workers' education, rural development, migrant workers, small enterprise development, skill profiles of black South Africans and employment planning. In addition, a number of new projects were approved which included training projects aimed at re-integrating Namibian refugees through education and skill training during the transition period.

87. Several activities were also carried out which were financed from the ILO regular budget for technical co-operation. They included two training workshops on the needs of South African and Namibian women and the design of projects to meet those needs; a seminar with the ANC on labour law in South Africa; a workshop on media skills; and a number of individual fellowships. Financial support was also provided for the preparation of the booklet on labour legislation in the South African homelands. Other activities undertaken were a study on child labour in South Africa and also the collection of data for the revision of the ILO publication on labour legislation in Namibia.

2. Ratification of conventions

88. Since the last report submitted by the ILO, the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), has received one further ratification (Democratic Yemen), bringing the total number to 110. The employment policy Convention, 1964 (No. 122), has received two further ratifications (Guatemala and Democratic Yemen), bringing the total number to 73. With regard to migrant workers, the Migration for Employment Convention (revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provision) Convention (No. 143), 1975, have not received any further ratifications, and the total numbers of ratifications stand at 38 and 15, respectively. The Indigenous and Tribal Populations Convention, 1957 (No. 107), has not received any further ratifications, and the total number remains at 27. The Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117), has received one further ratification (Guatemala), bringing the total number of ratifications to 31.

3. Migrant workers

89. Through its standard-setting as well as its practical activities, the ILO has continued, from its inception, two essential and interrelated objectives: equality of treatment and opportunity for migrant workers and their families; and bilateral and tripartite agreement on migrant labour policies. The instruments adopted by the International Labour Conference aim basically at establishing a system for the protection of migrant workers and the preservation of rights acquired in particular in the field of social security.

90. In its activities in favour of migrant workers, the ILO has employed different means of action, including the collection and dissemination of information, studies and research to clarify the phenomenon of migrant labour, the implementation of technical co-operation projects as well as the organizations of technical meetings and consultation (in the form of, for example, round tables and tripartite meetings) geared to facilitating the exchange of views and experiences especially among national authorities and representatives of employers and workers.

4. Indigenous and tribal peoples

91. This is an area in which the ILO and the United Nations - in particular through the Centre for Human Rights - work closely together. The ILO has been concerned with the situation of indigenous and tribal peoples since the earliest days of the Organisation, and studies began as early as 1921. This led to the adoption of several of the ILO's key human rights conventions, which were intended to prevent discrimination against indigenous workers while providing also for special measures in their favour.

92. It became evident with the passage of time that the needs and the priorities of indigenous and tribal peoples had changed since the adoption of the ILO instruments. The ILO co-operated fully with the study of the problem of discrimination against indigenous populations carried out by the Special Rapporteur of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities. Among other things, it agreed with one of the principal recommendations made by the Special Rapporteur: to revise Convention No. 107 and

to bring it into line with current thinking on the question. The revision was undertaken in 1988 and completed in 1989 by the International Labour Conference, in full consultation with the United Nations and with other specialized agencies, and with significant participation by representatives of the indigenous and tribal peoples themselves. It resulted in the adoption of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), which is now open to ratification.

93. Convention No. 169 embodies two main principles in respect of governmental action relating to indigenous and tribal peoples: respect for their cultures and identity; and their right to be involved in taking all decisions that affect them. It includes provisions, among other things, on respect for their customary law, land rights, recruitment and conditions of employment, health education and contacts and co-operation across borders.

5. Promotional activities

94. Under the ILO's educational and promotional programme for the elimination of discrimination and the promotion of equal opportunity in employment, a subregional tripartite seminar on promotion of equality of opportunity in employment for selected African countries was organized in Dakar (Senegal) from 18 to 22 September 1989, and another subregional tripartite seminar on non-discrimination employment practices was organized in San José (Costa Rica) from 16 to 20 October 1989. Similar seminars and national tripartite seminars will be organized in future.

6. Research and publications

95. The ILO has continued its research and publications programme, which has extensively covered the elimination of discrimination in employment based on grounds such as race, ethnic origin, sex, religious beliefs or political opinions, and against migrant workers. Notes and studies on new developments in various countries have appeared regularly in ILO publications such as International Labour Review and Social and Labour Bulletin.

7. International co-operation

96. The arrangements whereby the ILO collaborates with other international organizations on questions concerning the supervision of international instruments and matters of interest to more than one organization continued to function, as in the past, in relation to discrimination in employment and occupation, indigenous and tribal populations, migrant workers and basic aims and standards of social policy, particularly through the ILO's collaboration with the United Nations Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination, the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, as well as with the Centre for Social Development and Humanitarian Affairs, the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women and the United Nations Development Programme.

B. Food and Agriculture Organization of the United Nations

1. General scope and objectives

97. The principal contribution of FAO to the international struggle against racism and racial discrimination is focused on southern Africa and comprises assistance to populations victimized or threatened by the policies of the Government of South Africa. Although, in principle, the extensive FAO programmes in the front-line States of Angola, Botswana, Mozambique, the United Republic of Tanzania, Zambia and Zimbabwe, and in Lesotho and Swaziland, are also relevant, only those activities benefiting Namibia and the national liberation movements recognized by OAU and the United Nations are reviewed in the present submission.

98. In response to resolutions by its own governing bodies and by the United Nations General Assembly, FAO has extended material and technical assistance to practically every one of the national liberation movements that have been engaged in the struggle for the independence of Angola, Guinea-Bissau, Mozambique, Namibia, South Africa and Zimbabwe. Since the attainment of independence by Zimbabwe, the only national liberation movements receiving FAO assistance have been the African National Congress of South Africa (ANC), the Pan-Africanist Congress of Azania (PAC) and the South West Africa People's Organization (SWAPO).

99. The principal objectives of FAO assistance to the national liberation movements have been and continue to be:

(a) To enable the refugee communities administered by those movements to become self-sufficient in food and to bring about continuing improvement in their overall level of nutrition;

(b) To provide members of the movements with agricultural skills that would permit them to enjoy a decent livelihood and to contribute effectively to the agricultural development of their home countries after independence;

(c) To build up a cadre of decision makers, professionals and other skilled workers capable of formulating and managing appropriate agricultural policies and programmes in the post-independence period in the home countries of the national liberation movements;

(d) To make available to the movements the technical information and analyses to guide them in the formulation of food and agricultural policies after independence.

100. In addition, a substantial portion of FAO assistance to the national liberation movements goes to avert or relieve the occasional acute food shortages facing the populations under the care of these movements. Consistent with the general mandate of FAO, however, the objective is to render such emergency assistance increasingly unnecessary through actions to develop self-reliance.

101. FAO assistance takes the form of training activities, direct support for food production, sectoral surveys and policy preparation, and studies on those aspects of apartheid of direct concern to the mandate of the organization. Since the

build-up of skills at all levels is a critical need of the national liberation movements, even those FAO projects not classified as "training" do usually comprise important training components.

2. Assistance during Namibia's transitional period to independence

102. At the request of UNDP, and with UNDP funding, FAO fielded two missions to Namibia during August-September 1989 to assess the country's needs in the fishery and agricultural sectors and to prepare related short-term policy options to be presented to the Government of independent Namibia.

103. Under the umbrella of the UNHCR-co-ordinated Rehabilitation and Settlement Programme for Namibia, FAO is co-operating with several other United Nations agencies in providing technical and material assistance to meet the emergency needs of Namibian returnees. Specifically, the Organization is undertaking two projects, one ($400,000) for the supply of seeds, hand tools and other agricultural devices; and the other ($111,000) providing the services of an expert to advise on the agricultural aspects of the Programme.

104. FAO has participated in the following three seminars organized by the United Nations Council for Namibia during the transitional period:

(a) Contingency planning for technical assistance to Namibia during the transition to independence - Vienna, July 1989;

(b) Integration of Namibia into the regional structures for economic co-operation and development in southern Africa - Harare, October 1989; and

(c) International technical assistance to an independent Namibia - the role of the United Nations - Rio de Janeiro, December 1989.

FAO also participated in an informal donors' consultation on Namibia which was organized by UNDP and hosted by the Government of Norway in September 1989 in Oslo.

3. Information

105. FAO has produced two important publications relating to racism and racial discrimination in southern Africa. In March 1979, its Freedom from Hunger Campaign/Action for Development brought out a special issue of its Ideas and Action bulletin devoted to apartheid. FAO's major study on apartheid, poverty and malnutrition, which was commissioned as part of the Organization's contribution to the International Anti-Apartheid Year, was published in 1982, in both English and French. The study is considered to be an important addition to the body of knowledge on the condition of populations subjected to apartheid.

C. International Civil Aviation Organization

106. The International Civil Aviation Organization states that, at its twenty-seventh session (Montreal, 19 September to 6 October 1989) the Assembly adopted resolution A27-5 on the policies of apartheid and racial discrimination of

the Government of South Africa and on measures to be taken in response to the resolutions adopted by the United Nations General Assembly in that regard.

D. World Bank

107. The World Bank states that its articles of agreement direct the Bank to take into account only economic considerations in its decision-making. Thus, the Bank cannot become directly involved in human rights issues, particularly those of a civil or political nature, in its member countries. However, within the limits of its mandate, the Bank has played and continues to play a significant role in promoting various economic and social rights. World Bank assistance programmes are designed to support a broad spectrum of development projects aimed at increasing productivity, expanding employment opportunities and improving the living standards of all participants, especially the poor and other vulnerable groups, in the development process.

E. Universal Postal Union

108. Within its area of competence, the Universal Postal Union has taken various measures to combat racism, racial discrimination and apartheid and to improve the living conditions of the victims of such practices.

109. UPU also took part in the global consultation on racial discrimination and racism organized by the United Nations on 3 October 1988 in Geneva.

110. In the measures it has taken, UPU has shown a particular interest in the case of the Palestinian and Namibian peoples.

111. For the Palestinians, it provides aid in the form of long-term advanced postal training fellowships from the UPU special fund.

112. UPU renewed this measure in 1986 in an amount totalling $US 48,000 which is to be used for training two nationals of that region at the Arab Postal Faculty in Damascus; each candidate will receive four years of training, one from 1986 to 1990, the other from 1990 to 1994.

113. UPU remains ready to help establish vocational training centres for Palestinians, inter alia, by studying needs and seeking sources of financing, in collaboration with all the competent authorities and all the concerned institutions of the United Nations common system.

114. With regard to Namibia at the current stage of transition to independence, UPU is ready to:

(a) Provide that country with a programming mission to study the postal situation and to identify needs;

(b) Request, if necessary, financial assistance from some industrialized countries and technical contributions from the African countries in the context of technical co-operation among developing countries (TCDC), in preparation for possible intervention by UPU in the event of an emergency in order to ensure the operation of postal services.

IV. INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS WITH THE ECONOMIC AND SOCIAL COUNCIL

A. All Pakistan Women's Association

115. The All Pakistan Women's Association states that racial discrimination is not the outcome of caste or colour but is the result of political and economic domination by developed nations which are trying to subjugate the less privileged and uneducated people under their full control. Therefore, in order to combat racial discrimination and to bridge the gap between the haves and have nots, the only solution seems to be the introduction of a new world economic order, which was repeatedly demanded by the Group of 77 and is now demanded by all the developing countries.

116. The Universal Declaration of Human Rights can only be implemented by making tremendous efforts to educate the masses, both the coloured people in the developed countries and the less privileged classes of the developing countries including the women, whose rights are trampled, both legally and constitutionally, by a male-dominated society.

B. B'nai B'rith (Anti-Defamation League)

117. The Anti-Defamation League of B'nai B'rith refers to its annual report of 1988-1989 entitled "World of difference". The report demonstrates the organization's far-reaching efforts to promote fairness and democratic principles in the United States of America. The Organization also refers to its latest catalogue on human relations material for schools and community which highlights educational programmes designed to reduce racial, ethnic and religious friction and promote multicultural awareness.

C. International Association of Lions Clubs

118. The Constitution and By-laws of the International Association of Lions Clubs clearly state, "Any person of legal majority and of good moral character and good reputation in the community may be granted membership in any duly authorized Lions Club." The issue of race is not a consideration in allowing entrance into or exclusion from membership in a Lions Club.

D. International Federation of Social Workers

119. The stand of the International Federation of Social Workers on racism and racial discrimination, embedded in its Constitution, Code of Ethics and Policy Documents, is well known. However, particular attention has been paid to this problem over the past years by the Federation and its 50 member associations. Emphasis has been on countering personal/emotional, cultural and institutional racism in social work, both within the profession and in the attitudes of users of social services. Workshops and social work journals constitute the main methodological tools.

120. The pressure resulting from the vastly increased numbers of asylum seekers and migrants in Europe led the Federation to organize a European regional seminar in 1990 on the theme "When people become foreigners". The situation of migrant workers and their families received special attention at a three-day pre-programme for social workers from southern Europe who studied the situation of migrant families in Switzerland (Zurich).

121. The Swiss Association decided to pursue the study of migrants in Switzerland, and a continued regional approach to such research may well be decided at the next European meeting, scheduled for April 1990 in Brussels.

122. Meanwhile, some 600 seminar participants reflected and learned together. Several governmental representatives were present, and some of the arguments and studies presented might influence their thinking and future action.

123. The Federation is of the opinion that a better understanding of the phenomenon of mass movements from developing to industrialized countries is a first step. It believed that the phenomenon, which cannot be halted, will eventually lead to more heterogeneous and less racist populations in the various regions of the world, not least because it will bring about a decreased disparity of living standards.

E. International Federation Terre des hommes

124. The International Federation Terre des hommes states that in the context of the crisis in the educational system in South Africa, many organizations for popular education have sprung up in an effort to give young blacks an education that will develop their critical faculty and prepare them for building a freer and more just society.

125. One South African education organization which is working with students and trade union members decided, in 1981, to launch a publication aimed at young blacks aged 12 years old and over. This publication is supported by a movement which is a member of the Federation.

126. With regard to the protection of vulnerable groups from discrimination, one member movement of the Federation is supporting a project for indigenous populations.

127. This project has very specific aims. First, it seeks to support the organization of Indian people of Javari, based on their demands and needs. Secondly, it seeks to provide information with a view to raising the consciousness of the population in the region concerning the Indian question. This is a long-term undertaking which is of vital importance in order to alleviate discrimination against Brazil's Indian population.

F. International Organization of Consumer's Unions

128. The International Organization of Consumer's Unions states that it has accepted as a policy that any consumer organization from South Africa applying for membership is asked to supply, together with its application, a supportive document in order to enter the procedure for membership.

129. At the Nairobi Conference on Consumers in Africa (14-18 June 1988), a special section on apartheid was inserted in the final declaration (which was unanimously adopted). It urged consumer organizations to support the anti-apartheid campaign by boycotting as far as possible products from South Africa. It encouraged consumer groups to use the United Nations consolidated list of products whose consumption and/or sale have been banned, withdrawn, severely restricted or not approved by Governments in their work on hazardous products. It furthermore urged Governments to support the United Nations consolidated list and provide information for its regular updating and publishing.

G. Inter-Parliamentary Union

130. The Inter-Parliamentary Union states that during its 81st conference, held last March in Budapest, it adopted a resolution on decolonization, racism and apartheid, and promotion of the individual and collective rights of nationalities and ethnic minorities. In that resolution, the Conference recommended that those States which continue to practice apartheid and racism should honour their obligations under the Declaration on the Elimination of All Forms of Racial Discrimination. The Conference reiterated its total support for the people of South Africa in their struggle to eliminate apartheid and establish a free, democratic and non-racial society that guarantees enjoyment of equal rights for the whole population, without distinction as to race, colour or creed. The Conference renewed its request to the Security Council to adopt comprehensive and mandatory sanctions against the racist régime of South Africa, in so far as such sanctions remain the most appropriate, effective and peaceful means of ending apartheid. It also called on parliaments to give strong support to the convening of the United Nations special session on apartheid and its destructive consequences in southern Africa.

131. Turning to ethnic minorities, the 81st Conference began by expressing regret that their rights continued to be violated in some countries; it then laid down or reiterated a number of fundamental principles, and made concrete recommendations and suggestions which are designed to guarantee the legitimate rights of national minorities and favour the promotion of their ethnic cultural, linguistic and

religious identity. It noted that the setting up of federalist structures could be the appropriate way of reducing the conflicts which can arise when there are several different population groups living together within the same State a d of checking secessionist tendencies.

H. Salvation Army

132. The Salvation Army states that, as a closely knit international Christian movement, it is naturally totally opposed to discrimination on racial, social or any other grounds. This clearly indicates that the Salvation Army finds the South African apartheid system unacceptable, while recognizing the historical, cultural and even moral background to the present-day situation and also the progress that has already been made in seeking to dismantle apartheid in that country.

UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/1990/20/Add.1
2 April 1990
ENGLISH
ORIGINAL: ENGLISH/FRENCH

First regular session of 1990
Item 2 of the provisional agenda*

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report of the Secretary-General

Addendum

Analysis of the replies received from Governments on action taken under the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

SUMMARY

In paragraph 10 of resolution 39/16, the General Assembly requested Governments to forward a report every two years on action taken under the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, on the basis of a questionnaire circulated by the Secretary-General. The present report contains information received from the following Governments: Barbados, Chile, Czechoslovakia, Dominican Republic, France, German Democratic Republic, Rwanda and Yemen.

* E/1990/30.

CONTENTS

	Paragraphs	Page
INFORMATION SUBMITTED BY GOVERNMENTS		
A. Legislative, administrative or other measures to guarantee the right of everyone to equality without distinction as to race, colour, or national or ethnic origin	1 - 12	4
B. Legislative, administrative or other measures recently taken to prevent and apply punishment for the dissemination of ideas based on racial superiority or hatred, and to prohibit the establishment of organizations based on racial prejudice	13 - 26	6
C. Recent recourse procedures of a judicial, administrative or other character which can be resorted to by individuals complaining of racial discrimination	27 - 31	9
D. Measures recently taken to provide any victim of racism or racial discrimination with adequate protection, as well as assistance	32 - 44	10
E. Measures recently adopted to give effect to the international standards reflected in the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid	45 - 53	12
F. Recent measures undertaken to provide assistance to victims of racism and racial discrimination in South Africa and Namibia	54 - 55	13
G. Measures recently taken to mobilize public opinion against the evils of racism, racial discrimination and apartheid	56 - 61	14
H. Materials recently provided to teachers in primary and secondary schools in order to enable them to promote racial equality and instil a spirit of racial tolerance among students	62 - 71	15
I. Recent measures taken for the promotion and protection of the human rights of persons belonging to minority groups, indigenous populations and peoples and migrant workers	72 - 82	16

CONTENTS (continued)

	Paragraphs	Page
J. Other available information relating to the objectives set out in the Programme of Action for the Decade or any observations and suggestions concerning ways and means of achieving those objectives	83 - 88	18

A. Legislative, administrative or other measures to guarantee the right of everyone to equality without distinction as to race, colour, or national or ethnic origin

1. The Government of Barbados states that the particular provision of the Constitution guaranteeing equal rights is to be found in section 11 which provides that:

> "Whereas every person in Barbados is entitled to the fundamental rights and freedoms of the individual, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely:
>
> (a) life, liberty and security of the person;
>
> (b) protection for the privacy of his home and other property and from deprivation of property without compensation;
>
> (c) the protection of law; and
>
> (d) freedom of conscience, of expression and of assembly and association."

2. The Government of Chile states that the recent reforms to the Constitution in connection with the powers of the Executive in regard to states of emergency are, like all the rules of the Constitution, applied without distinction as to race, colour or national or ethnic origin. More than 87 per cent of the people with the right to vote, without distinction as to race, colour or national or ethnic origin, took part in the plebiscite, which adopted the reforms to the Chilean Constitution by a broad majority.

3. The Government of Czechoslovakia states that it has not been necessary in the period under review to make any fundamental changes in the Czechoslovak legislation in this field. The Czechoslovak Constitution embodies in article 20 the principle of equality of all persons without distinction as to nationality and race, which is consistently reflected also in other regulations.

4. The Government of the Dominican Republic states that the Republic condemns any privilege and any situation that tends to weaken the equality of all Dominicans, between whom no differences shall be observed save those resulting from talent or virtue, and consequently no entity of the Republic may grant titles of nobility or hereditary dis inctions.

5. The Government of France states that although the country's legislation was particularly complete, improvements had been made in some provisions:

(a) The Freedom of the Press Act now expressly punishes the defence of crimes against humanity.

(b) The Act relating to publications intended for young people authorizes the Minister of the Interior to prohibit the sale to minors of publications presenting a danger to young people by inciting to discrimination or racial hatred. The measure is a preventive one; obviously, any publication which incites to discrimination or racial hatred may be the object of subsequent prosecution.

(c) Lastly, a law enacted recently liberalizes the conditions for the entry and stay of aliens in France. Article 1 of the law refers to France's principles of hospitality and tolerance and the prohibition of racism, anti-Semitism and xenophobia, and article 2 refers to the role of education in teaching values based on respect for the individual, and for the origins and differences of others. It expands the categories of persons eligible for the full resident's permit, valid for 10 years, and sets up a departmental commission to review decisions by prefects in respect of the stay of aliens.

(d) It strengthens the safeguards protecting aliens against administrative expulsion.

6. The Government of the German Democratic Republic states that the country's Constitution and entire legal system are based on the principles of equality without distinction as to race, ideology or religious affiliation. There are no laws or regulations which run counter to those principles. The prohibition of discrimination of any kind applies in all spheres of the socialist State and society. Like other provisions of the Constitution, the constitutional principle set forth in article 20 relating to discrimination of any kind is, in accordance with article 105 of the Constitution, directly enforceable.

7. The Government of Rwanda declares that among the legal provisions prohibiting and punishing racism and racial discrimination in the Rwandese Republic are Rwanda's Constitution, Penal Code and Labour Code.

8. The Constitution of Rwanda proclaims the equality of all citizens before the law and prohibits discrimination of any kind based on race, colour, origin, tribe, clan, gender, opinion, religion or social standing (art. 16). The Constitution places aliens on the same footing as nationals with respect to the enjoyment of civil rights; article 95 of the Constitution provides that "all aliens shall enjoy the protection afforded to individuals and property, as well as the civil rights recognized in this Constitution, except as provided for by law". The Rwandese Penal Code provides for the punishment of any individual or group of individuals guilty of discriminating against an individual or group of individuals.

9. Racial discrimination in the area of employment is also prohibited by the Rwandese Labour Code, article 25 of which provides that "any distinction, exclusion or preference based on race, colour, gender, religion, public opinion, national descent or social origin which may destroy or alter equal opportunity in the area of employment is prohibited".

10. The Government of Yemen states that there is absolutely no racism or racial discrimination in the Yemen Arab Republic, which is combating racism and doing its utmost, in collaboration with other States opposed to racism and racial

discrimination, to intensify and expand endeavours to ensure the rapid elimination of the policy of apartheid and all forms of racial discrimination. Its Islamic Shari'a categorically prohibits racial discrimination or any other form of distinction between citizens, all of whom are equal, like the teeth of a comb. The citizens of the Republic enjoy full freedom and a unique degree of equality. The Islamic Shari'a diligently safeguards freedoms and equality and the Republic's Constitution eliminates social disparities and class privileges.

11. Consequently, all manifestations of discrimination and bigotry have vanished and all citizens enjoy the same privileges and are able to exercise their freedoms in an effective manner. This is confirmed by its National Pact, the Yemeni people's guiding star, which stipulates:

> "In so far as personal or individual freedom is limited by the commands and prohibitions of God and by the extent to which man is able to act in a manner that is not prejudicial to others, this means that all citizens enjoy freedom without any distinction or discrimination."

12. Accordingly, every individual and society must enjoy all the rights needed to enable them to exercise all their personal and public freedoms so that they can live in peace, security and tranquillity, enjoying all their political, civil and other rights.

B. Legislative, administrative or other measures recently taken to prevent and apply punishment for the dissemination of ideas based on racial superiority or hatred, and to prohibit the establishment of organizations based on racial prejudice

13. The Government of Barbados states that the existing legislation for the prevention and punishment of the dissemination of ideas based on racial superiority or hatred remains the Public Order Act, Cap. 168A of the Laws of Barbados.

14. Section 31 provides:

> 31. Any person who in any public place or at any public meeting:
>
> (a) uses threatening, abusive or insulting words or behaviour; or
>
> (b) distributes or displays any writing, sign or visible representation which is threatening, abusive or insulting, with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned, is guilty of an offence under this section.

15. Section 33 provides:

> 33. A person is guilty of an offence if:
>
> (a) knowingly he publishes or distributes written matter which is threatening, abusive or insulting; or

(b) he uses in any public place or at any public meeting words which are threatening, abusive or insulting, being matter or words intended or which may reasonably be interpreted as likely to stir up or to be capable of stirring up hatred against any sector of the public in Barbados distinguished by colour, race or creed.

(2) A person guilty of an offence under this section is liable on summary conviction thereof to a fine of two thousand five hundred dollars or to imprisonment for twelve months or to both such fine and imprisonment.

16. There is at present no specific legislation prohibiting the establishment of organizations based on racial prejudice but it has not been found necessary to enact such legislation. It is believed that section 21 (2) (a) of the Constitution would allow the passage of such legislation if the need arose.

17. The Government of Chile states that an administrative investigation was ordered by the Supreme Court of Justice to determine whether there are grounds for judicial proceedings against a foreign colony accused of allowing acts in the colony that might be in violation of specific human rights, including discrimination based on race or sex. A judge from a high court (Court of Appeal) was appointed to head the investigation.

18. From his report it emerges that offences such as fraud or misrepresentation may have been committed, but there is nothing to reveal any acts against the constitutional guarantees that ensure equality before the law or in any way involve the offences covered by the question.

19. The Government of France states that court decisions, the number of which has remained about the same from year to year, reflect a willingness to interpret the laws as broadly as possible in order to combat acts of racism. Thus, the Court of Cassation quashed a decision by an appellate court discharging the accused based on the appellate court's finding that a newspaper article did not contain racist insults or language and did not exceed the limits of acceptable discussion. The high court ruled that the mere fact of depicting individuals identified by their origin as intentionally living off the French economy and as employing for that purpose practices that were morally reprehensible or criminal was likely to provoke discrimination or hatred against such individuals (Court of Cassation, Crim. 26-5-88).

20. The Government of the German Democratic Republic states that article 6 of the Constitution provides that expressions of hatred for beliefs, races and peoples are criminal offences and are punished as such. Such standards are backed up by the Penal Code, which contains, among others, provisions such as the following:

Any act of violence against another race or group of individuals belonging to another race, having a different skin colour or of a different ethnic origin shall be punished with the greatest severity as a crime against humanity in pursuance of paragraph 91 of the Penal Code. The same paragraph prescribes a penalty of imprisonment for between five and fifteen years for expulsion or other inhuman acts (including certain forms of cruelty and

violence). Especially serious cases are punishable by imprisonment for life. The provisions in question also cover acts of incitement and complicity (such as financing) and the planning of and attempts to commit such crimes.

21. If racial hatred is likely to be an incitement to the planning of a crime against humanity, the penalty is from two to ten years of imprisonment, in accordance with paragraph 92 (1) of the Penal Code - Fascist propaganda, hatred against peoples and races; the penalty increases to a minimum of three years (i.e. from three to fifteen years) when racial hatred is part of a plan or if an organization or group is established for purposes of racial hatred.

22. Flagrant insults or defamation based on an individual's belonging to another people, nation or race are punishable under paragraph 140 of the Penal Code by imprisonment for up to two years or by penalties other than imprisonment.

23. Paragraph 106 (1) 1, of the Penal Code prescribes a penalty of imprisonment for between one and eight years for any person who attacks the constitutional foundations of the socialist order of the State and society of the German Democratic Republic by glorifying fascism or militarism or by inciting to racial hatred.

24. Anyone who engages in demonstrations of a Fascist, racist, militarist or revanchist character is liable to punishment under paragraph 220 (3) of the Penal Code. The elements constituting this offence include the public expression of Fascist or militarist ideas in any form, whether in writing, verbally or by attempted murder or other acts. Similarly, penalties are provided for the use, distribution or public display of insignia of a Fascist or militarist nature.

25. Measures to prohibit the establishment of organizations or organized or other propaganda activities, which foment racial discrimination and incite to racial discrimination, and to prohibit participation in any such organization or activity include the following:

- Paragraph 218 of the Penal Code prescribes a penalty of up to five years imprisonment or penalties other than imprisonment for anyone who forms or founds, leads, encourages or assists in any way whatsoever an association, organization or other group of persons or who becomes an active member of any such association, organization or group for unlawful purposes. Such unlawful purposes include all forms of propagation and promotion of racial discrimination and incitement to racial discrimination.

- In addition, paragraph 1 (1) of the Decree on the founding and activities of associations of 6 November 1975 provides that associations i.e., organized groupings of citizens to defend interests and achieve certain objectives, may begin to function only if their character and objectives are in keeping with the principles of the socialist social order. It follows directly from this that the activities of organizations which encourage racial discrimination or incite to racial discrimination are prohibited.

26. As a State that is anti-Fascist in origin and character, the German Democratic Republic has eliminated all the roots and forms of racism and anti-Semitism and continues to pay homage to the memory of the victims of Hitlerite fascism.

C. Recent recourse procedures of a judicial, administrative or other character which can be resorted to by individuals complaining of racial discrimination

27. The Government of Barbados states that any individual subject to racial discrimination by virtue of any law or as a result of the performance of the functions of any public office or public authority has recourse to the High Court under section 24 of the Constitution. The High Court in giving redress under this section may make such orders, issue such writs and give such direction as it may consider appropriate for the purpose of enforcing or securing the enforcement of the provision protecting against racial discrimination.

28. In addition, under particular Acts persons are liable to be prosecuted for subjecting anyone to racial discrimination. These Acts include the Shops Act, Cap. 356A, the Hotel Proprietors Act, Cap. 309 and the Public Entertainments Act, Cap. 85A. It may also be possible for persons complaining of racial discrimination to resort to the Administrative Justice Act, Cap. 109B, an Act dealing generally with the judicial review of administrative decisions.

29. The Government of Chile states that the judicial and/or administrative procedures are available to all persons living in Chile.

30. The Government of the German Democratic Republic declares that the country's legal provisions ensure that anyone who commits acts of discrimination is brought to justice. There is, moreover, a comprehensive system of legal protection which ensures just compensation for any citizen who suffers injury as a result of such acts. The public authorities therefore have an obligation to prevent all discrimination and any citizen has the right to invoke the protection and assistance of the public authorities against any discrimination, whether actual or presumed. In the event of a violation of the rights accorded to them, all citizens, irrespective of their race and origin, enjoy legal protection and free access to the courts without limitation. In the German Democratic Republic the principle of the equality of all citizens before the law and the courts includes the right to the same rights and duties as other citizens before the courts. This principle finds expression in all the laws relating to the practical application of the judicial process.

31. The seventh periodic report of Rwanda concerning the Convention on the Elimination of All Forms of Racial Discrimination contains detailed information on the subject of recourse procedures in the Rwandese Republic (CERD/C/169/Add.1).

D. Measures recently taken to provide any victim of racism or racial discrimination with adequate protection, as well as assistance

32. The Government of Barbados states that circumstances have not arisen necessitating such measures.

33. The Government of Chile states that the Chilean legal system (Constitution, art. 19, Penal and Civil Codes, Covenant on Civil and Political Rights, Covenant on Social, Economic and Cultural Rights, Convention on the Elimination of Racial Discrimination, Inter-American Charter of Rights and Duties) properly guarantees the principle of equality and no situation or case has arisen to require the adoption of additional measures.

34. The Government of France states that France has demonstrated its support for the black communities in South Africa by providing assistance which totalled 17 million francs in 1988.

35. The Government of the German Democratic Republic states that the exercise of rights to compensation for violations of a citizen's rights and interests is governed by the provisions of the Civil Code, in particular paragraph 322 et seq., which relate to the protection of life, health, property and all other general personal rights.

36. The enforcement of recognized rights is guaranteed by the provisions of the Code of Civil Procedure. For the purpose of giving effect to an enforceable right, the person liable for performance must make every effort to discharge promptly and fully the duties incumbent upon him. If it is brought to the attention of an undertaking that individuals in its employ are failing to perform their enforceable obligations in the proper manner, the undertaking is required to ensure prompt and full performance (para. 85). When an enforceable obligation is not fulfilled voluntarily, action is taken against the person bound to make performance upon application by the interested party.

37. The German Democratic Republic has scrupulously fulfilled all its legal obligations and duties under international law with respect to compensation under the Potsdam Agreements. This applies also to the payment of reparations imposed at that time.

38. In addition, the Government of the German Democratic Republic has, since its inception, taken a number of measures for the support and welfare of individuals who were persecuted by the Nazi régime, including citizens persecuted on racial grounds.

39. The "Directives for the recognition of individuals persecuted by the Nazi régime" of 10 May 1950 (Gesetzblatt 14/1950) define the category of individuals to be recognized as having been "persecuted by the Nazi régime" to whom the above-mentioned measures are to apply.

40. This category includes, among others:

(a) Jews who, on racial grounds, were arrested or had to emigrate or live in unlawful circumstances in order to escape forced deportation;

(b) The so-called "mischlinge" and their "blood relatives and relatives by marriage" within the meaning of the Nuremberg laws who were arrested on racial grounds;

(c) Former "wearers of the yellow star";

(d) Non-Jewish spouses or companions of former "wearers of the yellow star", provided that they are not separated from their Jewish spouse or companion;

(e) Jews who were partners in "privileged marriages" and were required to use the additional given name of "Israel" or "Sarah" or who were required to perform forced labour;

(f) Gypsies who were arrested because of their origins, were registered by the competent labour offices after 1945 and maintained their anti-Fascist and democratic attitude;

(g) Individuals who were sterilized for racial or political reasons.

41. A complex set of social laws provides wide-ranging measures of assistance and support for eligible individuals, such as:

(a) Supplementary social security benefits; the scheme of allowances and pensions sets the age of retirement for women at 55 (60 generally) and 60 for men (65 years generally). From the start of retirement or in the case of total disability, an honorary pension is payable in recognition of an individual's having been "persecuted by the Nazi régime";

(b) Priority in the allocation of housing;

(c) Measures to restore and maintain the health of the persons in question.

42. Qualified doctors provide preferential medical treatment, including house calls, and priority is given to such individuals in allocating medical, orthopaedic and other appliances. Eligible individuals receive a thorough medical check-up at least once each year. Any action which these check-ups show to be necessary, for example prophylactic or therapeutic treatments, hospitalization, admission to a retirement home or geriatric clinic, and home or other treatments, is taken immediately. In addition, these individuals are entitled to additional paid holidays.

- The award of education grants; apart from the scholarships usually provided by the State, an education grant is awarded to the children of individuals "persecuted by the Nazi régime" irrespective of their parents' income.

43. Mention should be made of the most recent measure adopted by the Government of the German Democratic Republic, i.e., the establishment of an international council

for the reconstruction of the Oranienburger Strasse synagogue in Berlin; the reconstruction work will be financed in part with government funds of the German Democratic Republic. In addition, the "New Synagogue - Centrum Judaicum" Foundation was established in memory of the millions of victims of fascism and of their martyrdom and anti-Fascist resistance, and to preserve and protect Jewish culture and tradition. In addition to the rebuilding of the synagogue and the building of a monument, a museum and a scientific centre, the Foundation's activities will also include participation in the preservation of the largest Jewish cemetery in Europe, situated at Berlin - Weissensee, which has 115,000 graves.

44. The citizens of the German Democratic Republic will forever keep alive the memory of the victims of Hitlerite fascism and of the more than 6 million Jews who were murdered. Proof of this is to be found in the great attention which the State and social forces pay to the activities of the eight Jewish communities in the German Democratic Republic. The communities receive every assistance for the preservation and protection of their centres, synagogues and houses of worship.

E. Measures recently adopted to give effect to the international standards reflected in the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid

45. The Government of Barbados states that Barbados is a party to both the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid. It is considered that the laws of Barbados already safeguard the standards reflected in the Conventions and no further legislation has been found necessary.

46. The Government of Chile states that Chile has, since 1971, signed and ratified the International Convention on the Elimination of All Forms of Racial Discrimination. The possibility of acceding to the other conventions and declarations is under examination.

47. The Government of Czechoslovakia states that it has furthermore transformed into its legislation the obligations resulting from the principal international instruments in this field, such as the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, the 1973 International Convention on the Suppression and Punishment of the Crime of Apartheid, and the 1985 International Convention against Apartheid in Sports, to which Czechoslovakia is a State Party. (Reports by the Czechoslovak Socialist Republic on the implementation of the provisions of these instruments were respectively published in United Nations documents CERD/C/172/Add.5 of 30 May 1988, E/CN.4/1989/31/Add.10 of 17 January 1989, and CAAS/C/1989/1 of 6 October 1989.)

48. The Government of the Dominican Republic states that it is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, having acceded to it on 17 March 1983 by means of resolution No. 97.

49. The Government of the German Democratic Republic has on several occasions stated in the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights that, by establishing a socialist State and society, the people and Government of the German Democratic Republic rid the country of the socio-economic, political and ideological roots of racial discrimination and hatred against other races and peoples. This applies both to the country's laws and courts and to actual social behaviour.

50. The Government of Rwanda states that, ever since it became independent in 1962, it has taken steps to combat racism and racial discrimination.

51. With regard to measures to combat apartheid, the Government states that it continues to support all peoples fighting against the policies of apartheid and all forms of segregation and racial discrimination. In that context, the Rwandese Government has consistently condemned all inhuman acts aimed at establishing or maintaining the domination of any racial group over another racial group and at systematically oppressing that group.

52. In addition, the Government of Rwanda has taken both legislative and administrative measures against apartheid. More complete information on that subject may be found in Rwanda's third periodic report on the Convention on the Suppression and Punishment of the Crime of Apartheid, issued as United Nations document E/CN.4/1989/31/Add.7 on 19 December 1988. It should also be mentioned that Rwanda has signed and ratified the International Convention against Apartheid in Sports.

53. On the subject of the application of international instruments, the Government of Rwanda states that it has signed and ratified the following international conventions: the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Convention on the Prevention and Punishment of the Crime of Genocide.

F. Recent measures undertaken to provide assistance to victims of racism and racial discrimination in South Africa and Namibia

54. The Government of Chile states that, in view of Chile's geographical position, far removed from the areas of conflict, the opportunity to provide this kind of assistance has not yet arisen.

55. The Government of Czechoslovakia states that in 1989 they extended aid and support to victims of racism and racial discrimination in South Africa and Namibia. The most recent significant project was the securing of transportation of

Namibian refugees back to their homeland by a special Czechoslovak aircraft - 53 persons from Czechoslovakia and 47 persons from Bulgaria. The project was fully paid for and organized by Czechoslovakia. Czechoslovakia provides also scholarships to students from areas affected by racial discrimination or apartheid. There are organized various courses to increase qualification, visits for delegations, recreations for children, etc. Already some time ago a special school was opened in Czechoslovakia for 56 Namibian orphans and 7 Namibian teachers. A new similar facility for 64 children and teachers was added in September 1989.

G. Measures recently taken to mobilize public opinion against the evils of racism, racial discrimination and apartheid

56. The Government of Chile states that under Chilean law, anything conducive to discrimination, whether racial, religious, sexual or of any other kind, is unlawful and therefore prohibited and penalized; accordingly it would be unnecessary and irrelevant to adopt any such measures. It would be equivalent to waging a campaign against common crimes such as homicide, robbery, etc.

57. The Government of Czechoslovakia states that, in connection with the November victory of the South West Africa People's Organization (SWAPO) in Namibia in 1989 the Czechoslovak television offered its viewers a whole series of reports in regular news programmes.

58. The principal non-governmental organization dealing with the above-mentioned problems in Czechoslovakia is the Committee of Solidarity with Peoples of Africa, Asia and Latin America. Its activity culminates traditionally on the occasion of the world-wide projects and anniversaries. The Committee organized public meetings to commemorate the Week of Solidarity with the People of Namibia, the Day of Human Rights or the Day of Heroes of South Africa, etc. in the past year.

59. In the area of information, the Government of Rwanda has made it its duty to make the Rwandese people aware of the evils of racism and racial discrimination through the mass media.

60. In connection with specific observances such as the International Day for the Elimination of Racial Discrimination and Apartheid, special political statements are addressed to the Rwandese people and the international community.

61. The Rwandese authorities intend to have translated and circulated in the national language, Kinyarwanda, all the international human rights instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination.

H. Materials recently provided to teachers in primary and secondary schools in order to enable them to promote racial equality and instil a spirit of racial tolerance among students

62. The Government of Chile states that in all secondary school textbooks on civics, importance is assigned to the guarantees for the individual set out in the Constitution (art. 19), in which pride of place is given to equality before the law, without any distinctions.

63. In addition, at all university law faculties the regular syllabus includes an examination of all international standards on protection of the individual, and emphasis is placed on the subject of racial discrimination. Consequently, it has never been necessary to mobilize the public in campaigns against racial discrimination, something which is simply inconceivable to Chileans.

64. The Government of Czechoslovakia states that the problems of racial equality and tolerance in the field of education are dealt with in nation-wide teaching programmes and textbooks for elementary and secondary schools. In view of the historical and moral traditions of the Czechoslovak society special teaching materials on this subject are not being issued since there is no need for them.

65. Rwanda's laws governing education do not contain any provisions of a restrictive nature. Organic law No. 1/1985 on national education provides for access by all children to all forms of education. In article 17, paragraph 2, this law provides that "children who meet the admission requirements of a school of their choice are entitled to attend that school". In addition, one of the criteria for admission is the principle of regional and ethnic balance. In order to prevent educational establishments (whether public or private) from selecting candidates on the basis of discriminatory criteria, article 56 of the law provides that educational establishments must, inter alia, fulfil the requirement that students "be admitted without discrimination of any kind, including on the basis of race, origin, clan, tribe, gender, colour, opinion, religion or social standing".

66. It is also worth noting that various courses, such as civics, history, and human and physical geography, are taught in the schools in order to instil in children a culture that is free from chauvinism and conducive to a spirit of understanding, tolerance and sympathy for other nations and all racial, ethnic and religious groups.

67. As part of students' general culture, a special course on the policies of apartheid is taught in schools with a view to inculcating in children, from their early years, a spirit of humanism and solidarity with people struggling against racism and racial discrimination.

68. As part of the promotion of human rights at the university level, a special course on human rights is taught at the faculty of law.

69. It should also be noted that Rwanda has signed the Constitution of UNESCO, the principal objective of which is to contribute to international peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law, and for human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction as to race, sex, language or religion.

70. By signing the Constitution of UNESCO, the Government of Rwanda has undertaken to make an active contribution to the eradication of racism and racial discrimination in the areas of education, teaching and training.

71. The Government of Rwanda has not yet organized any seminars dealing specifically with racism and racial discrimination. However, as part of its promotion and protection of human rights, Rwanda hosted two international seminars on human rights (one in 1988 and one in 1989) and organized a national seminar in this area for judges, whose responsibility it is to administer justice without bias of any kind.

I. Recent measures taken for the promotion and protection of the human rights of persons belonging to minority groups, indigenous populations and peoples and migrant workers

72. The Government of Barbados states that persons falling within the categories listed in this paragraph would have the benefit of the provisions of the Constitution for the protection of the fundamental rights and freedoms of the individual.

73. The Government of Chile states that agencies of the various international organizations accredited in Chile constantly send teaching material of this type, which is distributed at educational establishments through the relevant authorities.

74. The Government of Czechoslovakia states that there are practially no foreign workers that would in the meaning of the questionnaire of the Secretary-General fall in the category of migrant workers. However, on the basis of intergovernmental agreements concluded with the Governments of the respective States there are currently employed in the Czechoslovak territory 45,000 foreign workers for the purpose of acquiring and improving their skills in occupations needed by the sending parties for the development of the respective branches of their national economies. There are workers especially from Viet Nam, Cuba and Angola. The conditions of employment and professional training for foreign nationals is based on the principle that they have equal rights and duties as Czechoslovak nationals have except for some political rights linked inseparably with Czechoslovak citizenship.

75. The Government of France states that, in the social sphere, France has pursued its efforts to integrate immigrants. In view of the fact that in most cases immigration becomes permanent, a policy of active integration has been adopted, especially with regard to housing for young aliens leaving home and in the social and cultural fields. Contracts are currently being negotiated between the State

and the regions with a view to facilitating the integration of the aliens living in urban areas. The Government's efforts include substantial support for associations of young immigrants, especially in the form of financial assistance for the activities of such organizations.

76. In August 1988, in co-operation with the main political groupings in New Caledonia and in pursuance of the agreements known as the "Matignon accords", the Government decided to pursue a policy aimed at correcting the imbalances in New Caledonia and to hold a referendum on self-determination in the territory in 10 years' time, i.e., in 1998.

77. This political will is reflected in the adoption by referendum in November 1988 of legislation on statutory arrangements preparatory to the self-determination exercise in 1998.

78. The new law covers a 10-year period, which will culminate in the holding of a referendum on self-determination in which "interested inhabitants of New Caledonia" will take part, i.e. voters registered in the Territory at the time of that consultation who have been resident in the Territory since the date of the 9 November 1988 referendum.

79. Development contracts will be concluded between the State and the Territory's three provinces. These contracts will deal specifically with the following activities which have been deemed to be of priority importance:

(a) Access to introductory and continuing training, having regard to the Territory's cultural diversity;

(b) Steps to redress the disparities in the Territory, specifically between its northern and southern parts, by improving infrastructure (in particular, roads) with the aim of improving communications for the inhabitants of isolated areas;

(c) Development of the health infrastructure and the stock of subsidized housing, and specific efforts in the area of water supply and sanitation.

80. Also with the aim of reducing disparities between the different parts of the Territory, it has been decided to apportion government investment according to a formula under which one fourth would go to the southern province and three fourths to the other two provinces, as traditionally the latter have been economically less developed than the former.

81. Also worthy of note are the steps taken to provide for the representation of local customary law so as to enable it to play a wider role. Customary law is taken into account in the public organization of the Territory and institutions have been established for the representation of customary law, namely, the territorial customary law advisory council and eight customary law councils, each representing a different customary law area.

82. The Government's policy is also aimed at giving greater recognition to Kanak cultural tradition. To that end a Kanak Cultural Development Agency was created. Decree No. 89-524 of 17 July 1989 concerning the Kanak Cultural Development Agency contains provisions governing the operation of this public body.

J. Other available information relating to the objectives set out in the Programme of Action for the Decade or any observations and suggestions concerning ways and means of achieving those objectives

83. The Government of Chile states that its eighth report has just been submitted to the Committee on the Elimination of Racial Discrimination, in Geneva, and hence the report should be referred to for most of the replies to the questionnaire.

84. The Government of France declares that France is also committed to promoting dialogue in southern Africa. It therefore welcomed the recent progress in negotiations on national reconciliation in Angola and Mozambique. In that spirit, France put forward a proposal at the European Council which met on 11 July for a mission of the Troika (Spain, France, Ireland) to visit the two States.

85. The desire to promote the search for solutions to the crisis in southern Africa has also prompted the Government to provide support to the States bordering on South Africa. This support has taken the form of assistance to the States members of SADCC (Southern African Development Co-ordination Council), totalling 4 billion francs, 1.5 billion of which has been provided since 1980, the date when that organization was established.

86. Pressure is exerted on the South African leadership through restrictive measures adopted generally in the context of the Community. These measures will be maintained until the words of good will spoken by some South African leaders are matched by tangible deeds.

87. France's long experience in the fight against racial discrimination teaches that the struggle is never-ending, that victory is fleeting and that there is a constant need to resume the fight to rid human nature of that form of absolute intolerance which is racism.

88. The Government of Yemen states that the Republic which enjoys security, stability and equality therefore affirms the need for further endeavours to combat all forms of racism and racial discrimination and to support all laws seeking to promote a rejection of all forms of racism and racial discrimination. It commends the steps that are being taken to combat such inhuman practices as members of the Arab nation in occupied Palestine and the racist policy of apartheid practised in South Africa. It calls upon all States to co-operate diligently with a view to the elimination of racism and racial discrimination so that all persons can live in conditions of security, stability and equality.

UNITED NATIONS

A E

General Assembly
Economic and Social Council

Distr.
GENERAL

A/45/210
E/1990/21
10 April 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Item 12 of the preliminary list*
REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

ECONOMIC AND SOCIAL COUNCIL
First regular session of 1990
Item 3 of the provisional agenda**
HUMAN RIGHTS QUESTIONS

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

Report of the Secretary-General

1. By its resolution 43/140 of 8 December 1988, the General Assembly took note of the Secretary-General's report (A/43/170-E/1988/25) and requested the Secretary-General to continue to assist and encourage the Executive Secretary of the Economic and Social Commission for Asia and the Pacific (ESCAP) to pursue the establishment, within existing resources, of a depository centre for United Nations human rights materials within the Commission at Bangkok, the function of which would include the collection, processing and dissemination of such materials in the Asian and Pacific region. The Assembly also renewed its invitation to States members of ESCAP that had not yet done so to communicate to the Secretary-General as soon as possible their comments on the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region and, in particular, to address themselves to the conclusions and recommendations in the report concerning the development of regional arrangements in Asia and the Pacific. The Assembly also requested the Secretary-General to ensure a continuing flow of human rights material to the library of ESCAP for appropriate dissemination in the region. The Assembly also requested the Secretary-General to submit a further report to the Assembly at its forty-fifth session, through the Economic and Social Council, incorporating information on progress achieved in the implementation of this resolution. The present report is prepared in response to that request.

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* A/45/50.

** E/1990/30.

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2. The attention of the General Assembly is called to the report of the Secretary-General submitted to the Commission on Human Rights at its forty-sixth session (E/CN.4/1990/18 and Add.1). That report, which contains the relevant information requested by the General Assembly in accordance with paragraphs 2, 3 and 4 of Assembly resolution 43/140, is also being made available to the Economic and Social Council and the Assembly.